

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

1550-60 FAIRVIEW CORPORATION,

Plaintiff,

v.

Case No. 07-13770

ADAM COHEN, et al.,

Defendants.

ORDER REJECTING REQUESTS FOR A WRIT OF GARNISHMENT

GP Collections, which is not a party to this action, submits eight requests for a writ of garnishment against a Defendant's bank accounts.

Under Federal Rule of Civil Procedure 69, state law, in this case, Michigan Court Rule 3.101(D), governs a request for a writ of garnishment. See *Uhl v. Komatsu Forklift Co., Ltd.*, 466 F.Supp.2d 899, 911-12 (E.D. Mich. 2006); *Schram v. Carlucci*, 41 F.Supp. 36 (E.D. Mich. 1941). MCR 3.101(D) requires a plaintiff or her agent to submit with a request for a writ of garnishment a verified statement confirming a judgment against the defendant, an exact amount unpaid, and a reason to expect that the proposed garnishee is subject to garnishment.

At least three defects in GP Collections's requests preclude the issuance of writs of garnishment. First, the requests include no verified statement. Second, nothing in the requests establishes that GP Collections proceeds as Plaintiff's agent. Third, in the requests, GP Collections improperly lists itself as Plaintiff's attorney. Accordingly,

IT IS ORDERED that the requests for a writ of garnishment, attached to this order but not otherwise docketed, are REJECTED WITHOUT PREJUDICE.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 20, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 20, 2013, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522